

DEPT. OF COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
PHONE: (479) 621-1186
FAX: (479) 986-6896

August 4, 2017

STAFF SUMMARY REPORT

TO: PLANNING COMMISSION

SUBJECT: Rezone #17-16

John Mayer requests a rezone per Sec. 14-727 of the Rogers Code of Ordinances.

PLANNING OFFICIAL: Ethan Hunter

SUMMARY

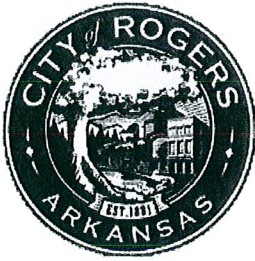
1. BACKGROUND: This is a request to rezone a vacant 0.35 acre lot on the 500 block of South 7th Street from C-2 (Highway Commercial) to COM (Commercial Mixed Use).
 - a. The proposed use is residential townhomes.
2. FINDINGS: Staff supports this request for the following reasons:
 - a. The proposed zoning would not substantially impact adjacent property in terms of intensity.
 - b. The proposed zoning is consistent with the established land-use pattern of the surrounding area. While the nearest COM zoning is a half-block north, the COM designation is compatible for the subject property due to its location within the "de facto" DRDC area which staff views as the area bound by Olive Street, 8th Street, Olrich Street, and east as development occurs. The property would create a sequential west-east transition from 8th Street to 7th Street as it moves from high-intensity commercial to lower-intensity mixed-use to traditional single-family residential. Therefore, this request is not spot zoning. Additionally, the COM designation retains the potential for commercial use on a block of 8th Street with existing commercial activity.
 - c. The proposed zoning would enable the development of medium-density residential units in a neighborhood with walkability potential and access to downtown.
3. VIEWS OF OTHERS: None.
4. SUGGESTED MOTIONS:
 - a. "Motion to **approve/deny/table** the request by John Mayer to rezone a vacant 0.35 acre lot on the 500 block of South 7th Street from C-2 to COM."
5. RECOMMENDATION: Approve.


JOHN C. MCCURDY, Director
Department of Community Development

Tabs:

1. Rezone application with required supplements
2. Maps and photos

Note: staff recommendations are based on the documentation available at the time of request and may not reflect all information made available to officials during discussion and consideration.



DEPT. OF PLANNING
CITY OF ROGERS, ARKANSAS
301 W. CHESTNUT
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OFFICE USE ONLY

Permit Fee: \$200 ¹⁷²⁴ (\$200)
Zoning: C-2 to COM
Permit Number: 17-16
CityView Application: PL201700343
Date: 7/5/2017

REZONE APPLICATION

APPLICANT: John Mayer
ADDRESS: 2409 W Coyote Trail, Rogers, AR 72758 SUITE #:
GENERAL LOCATION OF PROPERTY: 500 block of South 7th Street
PHONE #: 479-644-1849 EMAIL: john.mayer@coldwellbanker.com
PROPERTY OWNER: Kerry Laman PHONE #:
PRESENT USE: Vacant lot ZONING: Commercial (C-2)
PROPOSED USE: Multi-family/commercial ZONING: COM
Commercial mixed-use

John Mayer
Applicant Signature

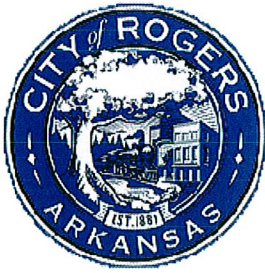
7-9-17
Date

Attachment Checklist:

- ☐ Legal description of property
- ☐ Applicant Certification
- ☐ Property Owner Affidavit
- ☐ Site plan as needed

PLANNING STAFF PROVIDES:

DATE FILED: 7/5/17 PUBLIC HEARING DATE: 8/1/17 → 8/15 CERTIFIED MAIL DATE: 7/31 for 8/15
PLANNING COMMISSION ACTION: WITHDRAWN 8/1 ; DATE:
CITY COUNCIL ACTION: DATE:
ORDINANCE NUMBER: COMMENTS:



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NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held before the Rogers Planning Commission in the Rogers City Hall at 301 West Chestnut on **August 15, 2017 at 4:30 pm** on the application by **John Mayer** to rezone a vacant parcel on the **500 block of South 7th Street** from a **C-2 (Highway Commercial)** to **COM (Commercial Mixed-Use) zoning district**. The property being more particularly described as follows:

LEGAL DESCRIPTION:

PART OF LOTS 13, 16 AND 17, BLOCK 5, DUCKWORTH'S ADDITION REVISED, CITY OF ROGERS, BENTON COUNTY, ARKANSAS, DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF LOT 9 OF SAID BLOCK 5; THENCE ALONG THE EAST LINE OF LOTS 9, 12, AND 13, S 01 DEGREE 16'30" EAST 121.04 FEET TO THE POINT OF BEGINNING; THENCE N 89 DEGREES 36'56" WEST 134.08 FEET; THENCE SOUTH 00 DEGREES 29'37" EAST 114.07 FEET TO AN EXISTING IRON PIN; (WHICH IS NORTH 00 DEGREES 29'37" WEST 15.00 FEET FROM THE SOUTH LINE OF SAID LOT 17); THENCE SOUTH 89 DEGREES 36'56" EAST 135.64 FEET TO THE EAST LINE OF SAID LOT 17, (WHICH IS NORTH 01 DEGREE 16'30" WEST 15.00 FEET FROM THE SE CORNER THEREOF); THENCE ALONG THE EAST LINE OF SAID LOTS 13, 16 AND 17; THENCE NORTH 01 DEGREE 16'30" WEST 114.11 FEET TO THE POINT OF BEGINNING.

LAYMAN'S DESCRIPTION:

A vacant parcel on the 500 block of South 7th Street

Eriks Zvers, Secretary
Rogers Planning Commission

PUBLISH ONE TIME ONLY: **July 31, 2017**
BILL THE CITY OF ROGERS

EXHIBIT "A"

Real property located in Benton County, Arkansas, to-wit:

PART OF LOTS 13, 16 AND 17, BLOCK 5, DUCKWORTH'S ADDITION REVISED, CITY OF ROGERS, BENTON COUNTY, ARKANSAS, DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF LOT 9 OF SAID BLOCK 5; THENCE ALONG THE EAST LINE OF LOTS 9, 12, AND 13, S 01 DEGREE 16'30" EAST 121.04 FEET TO THE POINT OF BEGINNING; THENCE N 89 DEGREES 36'56" WEST 134.08 FEET; THENCE SOUTH 00 DEGREES 29'37" EAST 114.07 FEET TO AN EXISTING IRON PIN; (WHICH IS NORTH 00 DEGREES 29'37" WEST 15.00 FEET FROM THE SOUTH LINE OF SAID LOT 17); THENCE SOUTH 89 DEGREES 36'56" EAST 135.64 FEET TO THE EAST LINE OF SAID LOT 17, (WHICH IS NORTH 01 DEGREE 16'30" WEST 15.00 FEET FROM THE SE CORNER THEREOF); THENCE ALONG THE EAST LINE OF SAID LOTS 13, 16 AND 17; THENCE NORTH 01 DEGREE 16'30" WEST 114.11 FEET TO THE POINT OF BEGINNING.

PROPERTY OWNER AFFIDAVIT

The petitioner, John Mayer, petitions the Planning Commission of the City of Rogers, Arkansas to rezone certain real property as set forth herein:

LEGAL DESCRIPTION:

Lot 9, Block 5, Duckworths Addition Rogers

LAYMAN'S DESCRIPTION:

PRESENT ZONING: Com-2

ZONING REQUEST: COM - Commercial Mix-USE

Respectfully Submitted,

By: [Signature]
(Property Owner Signature)

STATE OF ARKANSAS

COUNTY OF Benton

Subscribed and sworn before me this the 1st day of July, 2017.

[Signature]
Notary Signature

Travis Olson
Notary Name Printed

4-15-23
Commission Expires



C-2

R-DP

COM

COM

WEST POPLAR STREET

O R-DP R-O R-DP C-2

RMF-12B

C-2

W. CYPRESS ST.

COM

R-O NR COM

COM

NR

R-O

COM

NR

S. 5th ST.

10th ST.

R-DP

C-2

PINE ST.

Rezone
To COM

S 8th ST

C-2

S 7th ST

NR

S. 6th ST.

PECAN ST.

NR

R-DP

WEST OAK STREET

C-2

R-O

NR

RO-CU

R-O

W. SYCAMORE ST.

NR

S. 10th ST.

S. 9th ST.

NR

C-2

R-O

WILLOW ST.

NR

BIRCH ST.

C-2

C-3

S. 7th ST.

R-O

S. 6th ST.

NR

5TH STREET

NR